

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL OSGOOD,

Plaintiff,

**NOTICE OF MOTION
TO DISMISS**

-against-

CITY OF NEW YORK, BILL DEBLASIO, Individually,
JAMES O'NEILL, Individually, TERENCE
MONAHAN, Individually, DERMOT SHEA,
Individually, ANN PRUNTY, Individually, JOHN
DONAHUE, Individually, JAMES ESSIG, Individually,
and RAYMOND SPINELLA, Individually,

21 CV 9460 (JPC)(OTW)

Defendants.
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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, and all the papers and proceedings herein, Defendants will move this Court, before the Honorable John P. Cronan, United States District Judge, Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, New York, 10007, on a date and time to be designated by the Court, for an order and judgment, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff's claims of First Amendment retaliation to the extent they are time-barred under 42 U.S.C. §§ 1983 and 1988, and for failure to state a cause of action; and granting Defendants such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the briefing schedule set forth in the Scheduling Order dated February 11, 2022, answering papers, if any, must be served on the undersigned no later than April 11, 2022, and reply papers, if any, shall be served by April 25, 2022. See ECF Dkt. No 48.

Date: New York, New York
March 14, 2022

HON. SYLVIA O. HINDS-RADIX

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City of New York
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JAMES ESSIG, Individually, and RAYMOND
SPINELLA, Individually,

Defendants.

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Of Counsel: Dominique F. Saint-Fort

Tel: (212) 356-2444

Matter No.: 2021-039786

Due and timely service is hereby admitted.

New York, N.Y., 2022

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Attorney for